

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
) Case No. 1:00-CR-18
vs.)
)
NANCY LYNN MORGAN) JUDGE COLLIER

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on June 6, 2013, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for Warrant for Offender Under Supervision (Petition) of U.S. Probation Officer Sladjauna D. Hays and the Warrant for Arrest issued by U.S. District Judge Curtis L. Collier. Those present for the hearing included:

- (1) AUSA Chris Poole for the USA.
- (2) The defendant NANCY LYNN MORGAN.
- (3) Attorney Myrlene Marsa for defendant.
- (4) Deputy Clerk Kelli Jones.

After being sworn in due form of law the defendant was informed or reminded of her privilege against self-incrimination accorded her under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and she qualified for the appointment of an attorney to represent her at government expense. Federal Defender Services of Eastern Tennessee, Inc. was APPOINTED to represent the defendant. It was determined the defendant had been provided with a copy of the Petition and the Warrant for Arrest and had the opportunity of reviewing those documents with her attorney. It was also determined the defendant was capable of being able to read and understand the copy of the aforesaid documents she had been provided.

Defendant waived her right to a preliminary hearing but asked for a detention/bond hearing.

AUSA Poole called USPO Sladjauna D. Hays as a witness and moved that the defendant be detained pending the revocation hearing.

Findings

- (1) Based upon USPO Hays' testimony and the waiver, the undersigned finds

there is probable cause to believe defendant has committed violations of her conditions of supervised release as alleged or set forth in the Petition.

(2) The defendant has not carried her burden under Rule 32.1(a)(6) of the Federal Rules of Criminal Procedure, that if released on bail she will not flee or will not pose a danger to the community.

Conclusions

It is ORDERED:

(1) The motion of AUSA Poole that the defendant be DETAINED WITHOUT BAIL pending the revocation hearing before U.S. District Judge Curtis L. Collier is GRANTED.

(2) The U.S. Marshal shall transport defendant to a revocation hearing before Judge Collier on **Thursday, June 20, 2013, at 9:00 a.m.**

ENTER.

S/ *William B. Mitchell Carter*

UNITED STATES MAGISTRATE JUDGE